

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1251 be amended to read as follows:

- 1       Page 4, delete lines 27 through 37, begin a new paragraph and  
2       insert:  
3       "SECTION 3. IC 3-10-4-0.5 IS ADDED TO THE INDIANA CODE  
4       AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
5       1, 2001]: **Sec. 0.5. (a) Not later than the first Wednesday after the**  
6       **first Monday of November of a year in which an election for**  
7       **President of the United States is held, the secretary of state shall**  
8       **determine which of the following applies as of the first Tuesday**  
9       **after the first Monday in November of that year:**  
10       **(1) Each state and other jurisdiction entitled to appoint**  
11       **electors for the election of the President of the United States**  
12       **provides for apportionment of its electoral votes under either**  
13       **of the following methods:**  
14       **(A) The candidate for President of the United States who**  
15       **receives the greatest number of votes in a congressional**  
16       **district is entitled to one (1) electoral vote and the**  
17       **candidate for President of the United States who receives**  
18       **the greatest number of votes in the entire state or other**  
19       **jurisdiction is entitled to two (2) electoral votes.**  
20       **(B) The state or other jurisdiction apportions its electoral**  
21       **votes to candidates for President of the United States based**  
22       **on the percentage of votes received by the candidates for**  
23       **President of the United States in the entire state or other**  
24       **jurisdiction.**

A state or other jurisdiction that is entitled to cast three (3) electoral votes is considered to satisfy this subdivision.

(2) One (1) or more states or other jurisdictions entitled to appoint electors for the election of the President of the United States awards all of its electoral votes to the candidate for President of the United States that receives the greatest number of votes in the entire state or other jurisdiction. A state or other jurisdiction that is entitled to cast three (3) electoral votes does not satisfy this subdivision.

(b) The secretary of state shall publish the determination required by subsection (a) in the December issue of the Indiana Register of the year in which an election for President of the United States is held.

SECTION 4. IC 3-10-4-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. The device, title, and names of nominees appearing on a ballot or ballot label shall be accompanied by a statement that a ballot cast for the named candidates for President and Vice President of the United States is considered a ballot cast for the state number of presidential electors:

(1) nominated by that political party or independent candidate;

and

(2) as provided by Indiana law."

Page 5, line 1, delete "and shall be" and insert "for all and shall be counted as a vote as follows:".

Page 5, delete line 2.

Page 5, line 3, after "(1)" insert "If the secretary of state has determined that section 0.5(a)(1) of this chapter applies, the vote shall be counted as a vote for each of the following:

(A)".

Page 5, line 7, double block indent beginning with "(2)" .

Page 5, line 7, delete "(2)" and insert "(B)".

Page 5, between lines 9 and 10, begin a new line block indented and insert:

"(2) If the secretary of state has determined that section 0.5(a)(2) of this chapter applies, the vote shall be counted as a vote for all presidential electors nominated by that political party or independent candidate."

Page 6, line 13, after "(b)" insert: "If the secretary of state has determined that section 0.5(a)(1) of this chapter applies, the following apply:

(1)".

Page 6, line 17, begin a new line block indented beginning with "(c)".

Page 6, line 17, delete "(c)" and insert "(2)".

Page 6, between lines 19 and 20, begin a new paragraph and insert:

"(c) If the secretary of state has determined that section 0.5(a)(2)

1 **of this chapter applies, each elector shall vote for the candidates for**  
2 **President and Vice President of the United States who have been**  
3 **certified to have received the greatest number of votes in Indiana."**

4 Renumber all SECTIONS consecutively.  
(Reference is to HB 1251 as printed January 25, 2001.)

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Representative Thompson